

# SENATE BILL REPORT

## SB 6103

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As Reported by Senate Committee On:  
Commerce & Labor, January 22, 2014

**Title:** An act relating to misrepresentation of the geographic location of floral product businesses.

**Brief Description:** Concerning misrepresentation of a floral product business's geographic location.

**Sponsors:** Senators McAuliffe, Rivers, Cleveland, Parlette, Kohl-Welles, Brown and Conway.

**Brief History:**

**Committee Activity:** Commerce & Labor: 1/20/14, 1/22/14 [DP].

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### SENATE COMMITTEE ON COMMERCE & LABOR

**Majority Report:** Do pass.

Signed by Senators Holmquist Newbry, Chair; Braun, Vice Chair; Conway, Ranking Member; Hasegawa, King and Kohl-Welles.

**Staff:** Jessica Stevenson (786-7465)

**Background:** Persons engaged in the selling, delivery, or solicitation of cut flowers, floral arrangements, or floral products may not misrepresent their geographic location by listing a local telephone number in a local telephone directory if the calls received are routinely transferred outside the calling area covered by the local telephone directory and the listing fails to conspicuously disclose the locality and state where the business is located. The listing of a business name in a local telephone directory that misrepresents the business's geographic location and fails to disclose the locality and state where the business is located also constitutes misrepresentation. Misrepresenting geographic location is an unfair or deceptive act in trade or commerce and an unfair method of competition under the Consumer Protection Act.

**Summary of Bill:** Misrepresenting geographic locations in the selling, delivery, or solicitation of cut flowers, floral arrangements, or floral products is prohibited in advertisements on internet websites.

**Appropriation:** None.

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*This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.*

**Fiscal Note:** Available.

**Committee/Commission/Task Force Created:** No.

**Effective Date:** Ninety days after adjournment of session in which bill is passed.

**Staff Summary of Public Testimony:** PRO: Calls to order flowers are going to order gatherers, rather than local florists. The bill allows small businesses to compete fairly by providing protections for local florists and eliminating deceptive practices. An online search for a local florist results in many florists that have maps stating they are located in the local area, but no flower shop exists at that location. Online searches for local florists in different cities produces the same results. The floral industry is suffering because of order gatherers, and many floral shops have stopped receiving orders for order gatherers. Customers are paying many extra charges and are not receiving their flowers on time.

**Persons Testifying:** PRO: Senator McAuliffe, prime sponsor; Jennifer Wirt, Monroe Floral owner; Wendy Damoth, Flower Lab; Laurel Stromme-Dede, Bothell Florist; George Boulton, Flowers by George; Mark Johnson, WA Retail Assn.; Valeriy Arzumanov, citizen.